

THE STATE HAS CONCLUDED ITS TESTIMONY

(From Saturday's Daily.)

What of Burt during this moment of suspense? He paid no more attention to the woman than if she had not been near him. His eye lids did not even flicker. All the time the woman was looking at him he neither noticed her nor any one else. She looked long and hard at the man charged gently aside by the officers, but, so far as any action of Burt's gave evidence, he did not even know that she had been in the neighborhood of his chair. It was verily the opportunity of a lifetime for the artist. It was certainly something worthy of the best, but an ordinary human being, those who have seen such proceedings will not so soon forget them. Other ladies have been in attendance upon the trial since its opening. They have heard all the horror of the deed, and they have seen the man who sits there day by day, charged with the guilt of the heinous crime. He has ever been brought to view, within arm's length of the prisoner, however, until yesterday, when this lady in question allowed her curiosity to run rampant over everything else, and she bearded the lion in his den. She approached the prisoner and secured that close view which she will never have again in life—that of looking at close range at a man charged

THE TRIAL.

No cross-examination.  
The court granted the district attorney  
few minutes in which to consult with  
the state's next witness, Jno. Nelson.

"When I met him I asked him how Mrs. Burt and the children were. He said they were all right and he was going to Georgetown to take them some clothing. We waited on the corner for at least a half hour before a car came along. The first car that came by was

Cross-examined. He paid no attention to the people who bought tickets. The money was the only thing he wanted.

At this juncture, the hour of noon having arrived, the court took a recess for dinner until 2 o'clock.

Cross-examined by Taylor Moore. By "touching" he meant that Burt seemed to regret the husband's death and be sorry for the widow. He talked sympathetically. Burt seemed to make no attempt to conceal his identity at all. He talked to him about three-fourths of an hour, and Burt seemed to be in a very good humor. He said he was going to Dallas in business. That his family were away from home, but would come back on Thursday. He stayed with Burt until the train came almost to a stop in Taylor. He saw nothing unusual about it all. He said he talked to him. Did not tell him and they got on. Excused. He knew J. H. Gibson, a policeman. He knew J. H. Gibson. He relieved Gibson July 5, at Monroe Miller's undertaking establishment, guarding the door of it. He did not go in at Burt's house, where the

Bob Elbert. He was embalmer and funeral director for Monroe Miller. He remembered the adult person wrapped in a blanket brought to the establishment July 25. He had tied a rope to her while in the cistern and helped get her out. He removed the blanket from the body at the undertaker's room, and it then had a gown left on. He found a wound in the right temple. It could have been made with a hatchet. She had a hand-kerchief in her pocket. He found three rings on her hands—two on right hand and two on left. He removed the rings and then gave them to Roscoe Bert. (The rings were produced—one a wedding ring and two thin bands of gold with chips of jewels set in them.) He recognized and identified them. The wedding ring had a diamond set in it.

Miss Agnes Powers was the next witness. She saw her sister, Mrs. Annie Burt, for the last time at 7 o'clock on the evening of July 23 at Mrs. Burt's home. Her sister had three rings. The first was a diamond ring which she wore after her sister's death, by Roscoe Burt he described and then identified the rings. Said the date in the wedding ring was that of her sister's engagement to Eugene Burt. Last saw him on her sister's hands, the day after the evening she bade her good-bye. Her sister would have been married six years ext January. She visited her sister's house very often and knew her sister's house very well. (The three boxes were again brought in.) He identified the clothing of her sister and the children, calling out the names as Mr. Burleson held up the articles. Then he identified the bed clothing and a woolly necktie of ticking, and some other matters. One of the blankets was marked "Burt" in red sewing thread. He saw Burt on July 23 on the street and upon her inquiry he said "Annie was home." He recognized a man who was with her as her sister, made at Scarrough & Hicks. She had gone to Burt's house the Sunday before the kill-

Assets .....	\$221,213,721	33
Liabilities .....	194,347,157	58
Surplus .....	\$26,866,563	75
Total Income .....	\$48,597,430	55
Total Paid Policy-holders in 1895 .....	\$28,126,728	45
Insurance and Annuities in force .....	\$89,074,453	78
Net gain in 1895 .....	\$61,647,645	34

STATEMENT OF THE TEXAS BUSINESS.			
INSURANCE IN FORCE.			
	Dec. 31, 1894.	Dec. 31, 1895.	
Mutual Life .....	\$24,581,452	\$28,546,932	GAIN ..... \$3,965,480
N. Y. Life .....	26,768,971	24,555,317	LOSS ..... 2,213,654
	22,787,877	20,535,948	Loss ..... 2,251,929

NEW BUSINESS.			
	1894.	1895.	
Mutual Life .....	\$3,433,196	\$3,074,960	GAIN .... \$4,641,764
N. Y. Life .....	9,330,880	6,877,530	LOSS ..... 2,453,296
Equitable .....	2,274,813	1,856,829	Loss ..... 417,984
Paid to Policy-holders in Texas in 1895 .....			
	to the State for Taxes.....		\$206,203 80
			\$12,011 20

**Edwin Chamberlain & Co.,**

THAD C. BELL,  
District Agent,  
AUSTIN, TEX.

lunch room, and he took his grips into the waiting room and opened them, and he had some papers and a revolver in the grip. When the train came Burt got on the car between the sleeper and the first-class coach, but I did not see him enter either coach. I do not know whether he bought a ticket or not.

Cross-examined: I have known Burt since I was quite young. The first thing we talked about on this night was my sister. I told him she lived in Kyle and was cooking for Mr. Hellman. I asked him about his wife and children, and he said he was going to Georgetown to carry

men some clothes. He remarked about how pretty the children were. We went down Ninth street to the Avenue and crossed over. We stayed there, I think, about half an hour. Yes, there was some one else standing on the corner, but I did not notice who they were. At the corner we talked about his wife and

children. I don't know where the conversation started. I know that we were talking about his wife and children on the corner. We did not talk to one another on the car. Mr. Burt carried all his grips. It was about half past 9 when we got to the corner, and I heard the clock strike 10 while we were still standing there. I don't know what time we got to the depot. I sat down in the waiting room and waited for the train. Mr. Burt went into the lunch

Pete Lawless testified that he had been ticket agent at Austin for twenty years. He knew Eugene Burt; that he was on duty at the office on the night of July 24. "I did not see him there that night, nor do I remember having sold him a ticket. There are sometimes several persons at the window at one time, and I pay very little attention to them. I would have

Cross-examined: "I keep no record of numerous buying tickets. There was a salaried office in the city at that time. Mr. Holly ran it. I don't know where he is now."

C. M. Miller testified that he knew Eugene Burt; had seen him last on a Saturday evening at his house. "Mr. Barnum went with me to Burt's house. I saw Burt and the colored woman at the house. He told us what to get, showed us what to get, told us to get everything in the house and showed us through the house. I saw a corner of

the cistern, which is in the back part of the house. I had no conversation with Burt about the cistern. I noticed nothing out of place with Mr. Burt. I did not see the family. I went into the west room next to the Warmoth room. I saw two boxes. I did not take them because they were not furniture. The boxes were used."

No cross-examination.

Capt. Rhodes Fisher testified that he

y for the widow. He talked sympathetically. Burt seemed to make no attempt to conceal his identity at all. He talked to him about three-fourths of an hour, and Burt seemed to be in a very good humor. He said he was going to Dallas on business. That his family were away from home, but would come back on

Thursday. He stayed with Burt until the train came almost to a stop in Taylor. He saw nothing unusual about him all the while he talked to him. Did not see him after they got to Taylor. Excused. J. E. Grizzard, a policeman. He knew H. Gibson. He relieved Gibson July 1. Max Miller, a merchant, estab-

**Highest of all in Leaving Power**

# Royal

ABSOLUTE

ster would have been married six years next January. She visited her sister's house very often and knew her sister's clothing and that of the little children. (The three boxes were again brought in.) She identified the clothing of her sister and the children, calling out the names as Mr. Burselson held up the articles.

When she identified the bed clothing and the bloody piece of ticking taken from the mattress. One of the blankets was marked "Burt" in red sewing thread. He saw Burt on July 23 on the street and upon her inquiry he said "Annie was home." Recognized a hat in one of the boxes as her sister's, made at Scarborough.

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# Baking Powder